



Docket No.: 216196US30RE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 09/994,059
Applicants: Jacques QUELLAIS, et al.
Filing Date: November 27, 2001
For: MULTILAYER SOLE FOR SPORT SHOES
Group Art Unit: 3728
Examiner: Patterson, M.D.

SIR:

Attached hereto for filing are the following papers:

Response to Notice of Non-Compliant Amendment Under 37 C.F.R. §1.121

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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216196US-30 RE



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JACQUES QUELLAIS ET AL. : EXAMINER: PATTERSON, M. D.
SERIAL NO: 09/994,059 :
FILED: November 27, 2001 : GROUP ART UNIT: 3728
FOR: MULTILAYER SOLE FOR SPORT
SHOES

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER
37 C.F.R. § 1.121

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

The notice of non-compliance of the amendment filed on November 21, 2006 with the requirements of 37 C.F.R. § 1.121 is respectfully traversed.

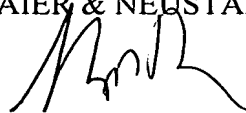
The amendment filed on November 21, 2006 was considered non-compliant because it lacked a complete listing of claims in ascending order and because the claims did not begin on a separate sheet. However it is respectfully noted that the present application is a reissue application. Reissue applications are explicitly excluded from the requirements of 37 C.F.R. § 1.121. See 37 C.F.R. § 1.121(a). Instead they are governed by 37 C.F.R. § 1.173. See 37 C.F.R. § 1.121(i). 37 C.F.R. § 1.173 has no requirement of a complete listing of claims in ascending order or that the claims begin on a separate sheet. It is therefore respectfully submitted that the claims are compliant with the relevant rules.

Response to Notice of Non-Compliant Amendment Under 37 C.F.R. §1.121
216196US-6579-6579-30-RE

Applicants believe that the present application is in a condition for allowance
and respectfully solicit an early notice of allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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